

Docket No.  
000790/0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Keiichi Nakajima**

Group Art Unit: **3621**

Application No.: **09/786,208**

Examiner: **Firmin Backer**

Filed: **May 8, 2001**

For: **ELECTRONIC SETTLEMENT SYSTEM, SETTLEMENT  
APPARATUS AND TERMINAL**

Date: **December 26, 2006**

**INFORMATION DISCLOSURE STATEMENT**

**Mail Stop AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Information Disclosure Statement by Applicant form (PTO/SB/08A and/or B, PTO-1449, or equivalent).

The following checked sections apply to this Information Disclosure Statement:

- ☒ In accordance with 37 C.F.R. § 1.98(a)(2)(ii) as revised at 69 Fed. Reg. 56481 (September 21, 2004), copies of the cited U.S. patent application publication(s) and/or U.S. patent(s) have not been submitted.
- ☐ The cited reference(s) were called to Applicant'(s) attention in a counterpart foreign patent application. A copy of the official communication in that counterpart foreign patent application citing the reference(s) is submitted herewith, and the Examiner is respectfully directed thereto for a concise explanation of the relevance of the cited art.
- ☒ At least some of the cited references are not (or the cited reference is not) in English, and so English abstracts of those references (that reference) are provided, if available.
- ☒ At least some of the cited references are not (or the cited reference is not) in English, and so machine English translations of those references (that reference) are provided, where available.
- ☐ This Information Disclosure Statement is being filed (1) within three months of the filing date of a national application other than a continued prosecution application under Sec. 1.53(d), (2) within three months of the date of entry of the national stage as set forth in Sec. 1.491 in an international application, (3) before the mailing of a first Office action on the merits, or (4) before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Accordingly, neither a fee nor Statement under 37 C.F.R. § 1.97(e) is due.

- ☒ This Information Disclosure Statement is being filed before the mailing date of any of a final action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application, and so is accompanied by one of:

- (1) A Statement under 37 C.F.R. § 1.97(e), which follows; or
- (2) The fee set forth in 37 C.F.R. § 1.17(p), authorization for which follows.

- ☐ This Information Disclosure Statement is being filed either (1) on or after the mailing date of a final action under 37 C.F.R. § 1.113, or (2) on or before payment of the issue fee, and is accompanied by:

- (1) A Statement under 37 C.F.R. § 1.97(e), which follows; and
- (2) The fee set forth in 37 C.F.R. § 1.17(p), authorization for which follows.

☒ Fee Under 37 C.F.R. § 1.17(p)

The Commissioner is authorized to charge the fee under 37 C.F.R. § 1.17(p) (\$180) to Deposit Account No. 19-4709.

☐ Statement Under 37 C.F.R. § 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in Sec. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☒ Additional Comments

Applicant(s) have the following additional comments:

Cited U.S. 5,889,863 and 6,178,409 are English language counterparts to cited WO 97/49074. Cited U.S. 60/131,369 is the provisional application upon which cited U.S. 6,970,852 is based. Cited JP 11-224236 is a counterpart to EP 0 935 221, which already is of record.

Copies of the cited pending U.S. applications have been provided. The Examiner may want to check the pending claims in those cases that have been amended, which can be done at his side. If the Examiner prefers and so requests, copies of those pending claims will be provided. The cited U.S. applications are U.S. counterparts to previously-cited WO 01/09806A.

It is respectfully requested that the above information be considered by the Examiner and that an initialed copy of the accompanying Information Disclosure Statement by Applicant form (PTO/SB/08A and/or B, PTO-1449, or equivalent) be returned to the undersigned indicating that such information has been considered.

Other than any fees mentioned above, no fees are believed to be due in connection with this Information Disclosure Statement. Nevertheless, the Commissioner is authorized to charge any fees which are deemed to be now or hereafter due in connection with this paper to Deposit Account No. 19-4709.

Favorable consideration and prompt allowance of this application is respectfully requested. In the event that there are any questions, or should additional information be required, please contact Applicant(s) attorney at the number listed below.

Respectfully submitted,

*/David L. Schaeffer/*

**David L. Schaeffer**

Reg. No. **32,716**

Attorney for Applicant(s)

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(212) 806-5400

FORM PTO 1449 (modified)				ATTY DOCKET NO. <b>000790/0002</b>		APPLICATION NO. <b>09/786,208</b>	
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				APPLICANT <b>Keiichi Nakajima</b>			
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				FILING DATE <b>May 8, 2001</b>		GROUP <b>3621</b>	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,590,199	12/1996	Krajewski, et al.			
		5,591,949	1/1997	Bernstein			
		5,608,778	3/1997	Partridge			
		5,715,314	2/1998	Payne et al.			
		5,724,424	3/1998	Gifford			
		5,745,886	3/1998	Rosen			
		5,889,863	3/1999	Weber			
		5,890,137	3/1999	Koreceda			
		5,903,878	5/1999	Talati et al.			
		5,991,749	11/1999	Morrill, Jr.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		8-16740	1/1996	Japan			w/ Engl. Abst. & Machine Transln.
		9-116960	5/1997	Japan			w/ Engl. Abst. & Machine Transln.
		11-224236	8/1999	Japan			w/ Engl. Abst. & Machine Transln.
		97/49074	12/1997	WIPO			English Original
		00/49551	8/2000	WIPO			English Original
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Payment Switches...Networks, 1995 IEEE 26-31(Gifford et al)					
		Mobile Commerce: Nairn, "Mobile Commerce Visions of 'An Internet with Wings,'" Financial Times (7/1998), Proquest #30857907					
		Microsoft Press Computer Dictionary, p. 456 (3d ed. 1997)					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,128,600	10/2000	Imamura et al.			
		6,178,409	1/2001	Weber et al.			
		6,282,522	8/2001	Davis et al			
		6,324,525	11/2001	Kramer			
		6,332,154	12/2001	Beck et al.			
		6,366,893	4/2002	Hannula et al.			
		2002/0073046	6/2002	David			
		6,970,852	11/2005	Sendo et al			
		60/131,369	none	Sherman			4/28/1999
		09/630,563		Nakajima			8/2/2000
		09/630,557		Nakajima			8/2/2000
		11/043,050		Nakajima			8/2/2000
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		01/09807	2/2001	WIPO			w/ Engl. Abst.
		01/09808	2/2001	WIPO			w/ Engl. Abst.
OTHER DOCUMENT(S) (Including Author, Title, Date, Portmanteau Pages, Etc.)							
		"Open Market Receives Patents for Core Internet Commerce Technology; Patents Cover Internet Marketing, Order Management and Payment," PR Newswire (3/1998), Proquest #26881564					
		Mobile Commerce: McDonald, "Smartcard Chip Reduces EFTPOS Security Risk-Tobin," Dominion (3/1998), Proquest #28386959					
		Dunlap, "Open Market Pact Invests in E-commerce," Computer Reseller News, n. 788, pg. 103 (5/1998), Proquest #29397051					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.